

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/559,995 Confirmation No. 4575
Applicant : Kanikanti et al.
Filed : December 8, 2005
Title : TABLETS CONTAINING ENROFLOXACIN AND FLAVOURING
AGENTS AND/OR FLAVOURS
Group Art Unit: TBA
Examiner : TBA
Docket No. : AH/LEA 36780

VIA EFS - 08/06/2007

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(B)

Dear Sir:

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. Because Applicants are filing this petition more than one year after the date of abandonment of this application, Applicants have included a showing herein as to how the delay in discovering the abandoned status of the application occurred, despite the exercise of due care and diligence on the part of the Applicants.

The Filing Receipt and Notice of Missing Parts dated April 2006 were never received by the Applicants and the application was inadvertently abandoned. During this time, there was never any intention of abandoning the application. The unintentional abandonment occurred as a result of communication problems between the different parties responsible for responding to the Notice of Missing Parts. These problems occurred because, at the time of the abandonment, there were numerous patent counsels handling the case, both in the United States and Germany.

While prosecuting related foreign applications, German Patent counsel inquired into the prosecution of this application on July 26, 2007, and only at that point we

became aware of its abandonment. Since that time, Applicants have worked diligently to prepare and file an appropriate response to the Notice of Missing Parts dated April 2006, which accompanies this petition. As such, Applicants respectfully request that the Patent Office revives the application and considers this response so that the application will be examined. The Commissioner is hereby authorized to charge the Petition fee of \$1,500 and to charge any additional amount required (or to credit any overpayment) to Deposit Account No. 50-4260.

Respectfully submitted,

/JESSICA MONACHELLO/

Jessica Monachello
Reg. No. 58,015

Bayer HealthCare LLC
P.O. Box 390
Shawnee Mission, KS 66201
913-268-2038